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CALIFORNIA SPORTFISHING
PROTECTION ALLIANCE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CALIFORNIA SPORTFISHING
PROTECTION ALLIANCE,

Plaintiff,

v.

PACIFIC BELL TELEPHONE COMPANY,

Defendant.

CASE NO. 2:21-cv-00073-MCE-JDP

**SECOND DECLARATION OF JOHN
KIRK BOYD IN SUPPORT OF
PLAINTIFF'S STATUS UPDATE**

Zoom Conference
June 22, 2023 10:00 a.m.

1. I am one of the attorneys representing the Plaintiff in the above captioned case.

1 2. I make this Second Declaration in support of Plaintiff's Status Update submitted on June 15,
2 2023. Unless otherwise indicated, I have personal knowledge of the matters set forth below and,
3 if called as a witness, I could and would testify competently thereto.

4 3. On June 16, 2023, I received an email from Patrick Moeszinger, Senior Environmental
5 Scientist, with the California Department of Fish and Wildlife (CDFW). (Attached hereto as
6 Exhibit 1).

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8 4. The email confirms that the permit issued by CDFW for the cable removal activities does not
9 prohibit those activities between Memorial Day and Labor Day, 2023. Still, conditions on the
10 physical activities commenced during that time must be met.

11 5. This email is submitted along with Plaintiff's Status Update as it may be useful to the Court
12 and the parties when they meet on June 22, 2023, and discuss whether there is an absolute
13 prohibition on removal activities between Memorial Day and Labor Day.
14

15 I declare under penalty of perjury that the foregoing is true and correct and that this
16 declaration was executed on June 16, 2023, in Lake Tahoe, California.

17 By: /s/ John Kirk Boyd
18 JOHN KIRK BOYD
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